

REPORT
OF THE
SELECT COMMITTEE,
TO WHOM WAS REFERRED THE MEMORIAL OF COLORED MEN.

The Select Committee, to whom was referred the memorial of the State Convention of colored men, held in the city of Columbus, in the month of January last, have had the same under careful consideration, and now

REPORT:

The object contemplated by the memorial referred to your committee, is the elevation of colored men to a political equality with the white citizens of the State of Ohio. To secure this object, the memorialists ask that, the legislature take the necessary constitutional steps to strike the word "white" from the first section of the fifth article of the constitution of the State; and they further ask, at your hands, such legislation as will afford to them "the right of trial by their peers," will provide for their admission into public infirmaries and the benevolent institutions of the State, and will allow them equal participations in the benefits of common schools.

The memorialists complain that the prohibition implied by the fifth article of the constitution, is a grievous wrong, and that the legislation which excludes them from any of the benevolent institutions of the State, is unworthy of "our civilization."

The memorial purports to emanate, and does emanate from a convention of colored men, composed of delegates from different parts of the State, respectable for numbers and intelligence, and hence it may reasonably be supposed to indicate the sentiments and feelings of the class there represented.

The formal presentation of a paper, alleging important grievances, and praying for changes in the fundamental law of the State, primarily suggests an inquiry, as to the number, character, and condition of the class involved in these alleged grievances, and requesting so important and radical measures for their relief.

The colored population of this State, in 1850, amounted to 25,279, according to the federal census of that year. The increase of colored population was 7,937 over the preceding census of 1840. Upon the supposition that the ratio of increase remains the same, the present population numbers about 32,000, and will reach nearly to 37,000 by the termination of the present decade. Of the present number

less than one-half are of unmixed African descent, while the remainder exhibit the varied characteristics of mixed parentage.

Of the colored population, enumerated in 1850, 12,386 were natives of this State, 12,662 were immigrants from other States of the Union, and the remainder, so far as known, were born in foreign countries. The whole number of blind, deaf and dumb, insane and idiotic, is about seventy-five persons.

A reference to the foregoing statistics your committee deem incidental to the main subject of inquiry referred to them. There are other questions connected with this subject, in the apprehension of many, but which your committee conceive are, more appropriately, matters for abstract speculation, than of practical importance. Of this kind, is the theory which accords separate creations to the different types of the human family, and, in determining their relative position, ascribes to the African mental and physical inferiority. We may, however, before we conclude, have occasion to refer to these questions at more length.

The political condition of the colored population of this State, if not entirely anomalous, is at least strangely incongruous with the theory of a free government. They are amenable to the laws of the State, but in framing these laws they have no representation whatever. All, without exception, who partake of African descent, although its characteristics are almost obliterated by the large preponderance of the caucasian type, are denied the elective franchise, excluded from all public trusts, forbid to serve as jurors, and, finally, when oppressed by poverty or visited with mental disease, or their offspring blind, or deaf and dumb, they are excluded from those institutions which the State has provided for its white citizens, but denied to the black and mulatto, or are only admitted under arbitrary and unequal restrictions.

It is said, in the language of the memorial, that "by a decision of the Supreme Court," a large portion of the colored people "are already in the possession of the elective franchise." Whatever supposed rights may have been exercised under the decision referred to, we are compelled to believe either that the framers of the constitution intended to exclude all colored persons from the elective franchise, or else they intended an absurdly unjust and ridiculous distinction.

With the knowledge, however, that the present political and social condition of the colored population of this State, is familiar to all, your committee will forbear further comment.

The future of this population is of interest to the legislator and the philanthropist. The continued existence of a colored population in our midst may be conceded as fixed, beyond a reasonable doubt. It is vain to expect that any sudden revolution, or the gradual operation of any peaceful cause, will remove them beyond our borders, or materially reduce their number. The existence of a race of different type from the dominant race, inhabiting the same country, is no anomaly. The permanent continuance of the distinct character of the two races, living in the same community, is mainly dependent upon the degree of radical difference of the types which each race represents.

The invaders of a subjugated soil may easily amalgamate with the conquered inhabitants, where no barriers are interposed by difference of complexion or diversity of origin. Natural proclivities of men may produce to some extent the same result, when these barriers do exist, but the process must necessarily be comparatively slow.

The theorist may foresee, by the inevitable laws of population, the ultimate absorption of the weaker race by the more numerous and powerful, but this supposition, however, pretending in theory, is not agreeable to the prejudices of the white race, or sufficiently imminent in its practical operation to merit our consideration.

Let the permanent continuance of the colored race, as a part of our population, be conceded, and our next inquiry is, what shall be its condition in the future? This inquiry is formally addressed to this legislature, by the presentation of the memorial now under consideration. To evade or defer decisive action upon this subject, will serve only to procrastinate, and will be unworthy our obligations to the State. Let us look steadily at the difficulties, if any exist, and then afford or deny the relief demanded. If the present policy of the constitution and the laws of Ohio is just and expedient, then no change is necessary. We may then dismiss all further consideration of this whole subject, and practically say to the petitioners, your grievances are imaginary, and your complaints unreasonable murmurs against a just and beneficent government. If, however, the policy of our constitution and laws is unjust and oppressive, but expedience demands its perpetuity, then let it be known that our legislature sacrifices justice to expediency, whenever the two seem to conflict.

The first and most important relief asked by the memorialists, is that the elective franchise be accorded to the colored men of the State. It is not, of course, contemplated that the action of the legislature can effect anything in this matter, except merely to submit the proposition to a vote of the people, as an amendment to the constitution; but our action in this event must be based upon a supposed approval of the change proposed, and hence the whole subject is properly before your committee.

Your committee, in the discharge of their duty, unhesitatingly declare their approval of such change in the fundamental law of the State as will abolish color as the criterion for citizenship, and recommend that the necessary steps be taken to submit an amendment for that purpose to a vote of the people.

In assigning a reason for our approval, we are not put upon the defensive. The exclusiveness of the provisions of the constitution, upon this subject, is inconsistent with a democratic theory of government, destructive of political equality, and inconsistent with the principles which gave birth to American freedom, and hence, of itself demands an apology.

The colored men of the State are, with few exceptions, natives of American soil, they are taxed for the support of government; in war they have borne arms for our defence; the God of equality has given to them the attributes of manhood; why, then, deny to them the rights of men? Is it sufficient to say that they are black, and that the dominant race is white? The policy of our government is opposed to arbitrary rules. Forced inequalities belong to monarchies and despotisms.

But is it said that the safety of our government depends in any way upon the exclusion of the colored men from a participation in its direction? Who believes this? The blacks are capable of patriotic sentiments; many of the colored men of the State, notwithstanding the discouragements and difficulties under which they labor, are educated and enlightened;—all may become so. But when was intellectual superiority made a test for admission to the rights of citizenship? Our constitution and laws do not even require that any inquiry shall be made as to the moral character of the proposed voter. It is sufficient that he be a *white* man. We assert a broader and more democratic doctrine. *It is sufficient that he be a man.*

We admit that the inherent right of self-preservation entitles a State to impose conditions of citizenship. When imposed upon all alike, these conditions may be inexpedient, but not necessarily unjust.

Naturalization laws are designed to test the sincerity of the foreigner's intentions to become an American citizen, and of his allegiance, as well as to secure by previous residence, a knowledge of our government and institutions. Further, the rights of the foreigner are acquired, the rights of the native are born with him—they are his by birth-right.